

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Cedar Park Court, 250 ft. N of Cedar Mill Road
9 Cedar Park Court
2nd Election District
2nd Councilmanic District
Joseph M. Lewis, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-367-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open porch with a setback of 5 ft. in lieu of the required 11.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 36-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

UNRECORDED

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of April, 1992 that the Petition for a Zoning Variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open porch with a setback of 5 ft., in lieu of the required 11.5 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Office of Zoning Administration
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1186

April 28, 1992

Mr. and Mrs. Joseph M. Lewis
9 Cedar Park Court
Randallstown, Maryland 21133

RE: Petition for Residential Zoning Variance
Case No. 92-367-A

Dear Mr. and Mrs. Lewis:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-367-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

301.1 to allow an open porch with a setback of 5 ft. in lieu of the required 11.5 ft.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

Irregular shaped lot with a rear yard is on rear of house.

Property is to be advertised under posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Phone

Legal Owner(s):

(Type or print name)

(Signature)

Address

City

State

Zip Code

Phone

9 Cedar Park Court

521-2628

Randallstown, Md. 21133

City

State

Zip Code

Phone

21133

521-2628

521-2628

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, that, on the day of _____, 19____, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



REVIEWED BY: LC DATE: 5-22

ESTIMATED POSTING DATE: 4/14/92

ESTIMATED CLOSING DATE: _____



ZONING COMMISSIONER OF BALTIMORE COUNTY

UNRECORDED

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at

9 Cedar Park Court

Randallstown, Maryland 21133

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Irregular shaped lot with a rear yard is on rear of house.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph M. Lewis

JOSEPH M. LEWIS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY: this 19th day of March, 1992 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph M. Lewis and Garman G. Lewis

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 19, 1992

My Commission Expires: Nov. 1, 1992

Garman G. Lewis

Garman G. Lewis

ZONING DESCRIPTION FOR 9 Cedar Park Court

Beginning at a point on the south side of Cedar Park Ct. which is 50' wide at the distance of 250' of the centerline of the nearest improved intersecting street Cedar Mill Rd. which is 50' wide. Being Lot #22, Block - and Sec. - in the subdivision of Cedar Mills as recorded in Baltimore County Plat Book # 57, Folio #86 containing 7,078 square feet .16 a. Also known as 9 Cedar Park Court and located in the 2nd Election District and 2nd Council District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: April 2, 1992

Posted for: Administrative Variance

Petitioner: Joseph M. Lewis

Location of property: 9 Cedar Park Court, Randallstown, Md.

Location of Sign: at front of Cedar Park Court

Remarks: _____

Posted by: M. D. White Date of return: April 14, 1992

Number of Signs: 1



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account: R 001-6150
Number

SALES TAX: 3.33%
\$3.00
Please Make Checks Payable To: Baltimore County

receipt

111 West Chesapeake Avenue
Towson, MD 21204

April 15, 1992

(410) 887-3353

Mr. and Mrs. Joseph M. Lewis
9 Cedar Park Court
Randallstown, MD 21133

RE: Item No. 383, Case No. 92-367-A
Petitioner: Joseph M. Lewis
Petition for Administrative Variance

Dear Mr. & Mrs. Lewis:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

UNRECORDED

Your petition has been received and accepted for filing this
23rd day of March, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Joseph M. Lewis, et ux
Petitioner's Attorney:

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: April 15, 1992
TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning
SUBJECT: PETITIONS FROM ZONING
ADVISORY COMMITTEE - APRIL 6, 1992

The Office of Planning and Zoning has no comments on the
following petitions:

Joseph M. Lewis	-	Item No. 383
Anthony S. Rinaldi	-	Item No. 384
George Schiaffino	-	Item No. 386
Robert H. Wiedefeld	-	Item No. 387
Joseph A. Cooper	-	Item No. 388
Terry Lee Foy	-	Item No. 389
Elliott Weinstein	-	Item No. 390
Ronald W. Chapman	-	Item No. 394

If there should be any further questions or if this office can
provide additional information, please contact Francis Morsey in the
Office of Planning and Zoning at 887-3211.

jm
PETITNS3.ZON

RECEIVED
APR 21 1992
ZONING OFFICE

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 6, 1992

This office has no comments for item numbers 383, 384, 387, 388,
389, 390 and 394.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

RECEIVED
APR 14 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

April 15, 1992

TO: Arnold Jablon, Director
Zoning Administration and Development Management
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Comments

The agenda for the zoning advisory committee meeting of April 6, 1992
has been reviewed by the Department of the Environmental Protection and
Resource Management staff.

There is no comment for the following item numbers:

383
384
386
387
389
390

SSF:rmp

NO_CMNT/GWRMP

RECEIVED
APR 21 1992
ZONING OFFICE

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOSEPH M. LEWIS AND CARMEN G. LEWIS
Location: #9 CEDAR PARK COURT

Item No.: *383(LJG) Zoning Agenda: APRIL 6, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Jiles* Noted and
Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
APR 10 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

Date: April 10, 1992

FROM: *Robert W. Bowling, P.E.*, Chief
Developers Engineering Division

SUBJECT: Zoning Advisory Committee

The Developer's Engineering Division has reviewed the items on the
agenda distributed on April 6, 1992. We have no comment on items numbered
349, 383, 384, 386, 387, 388, 389, 390 and 394.

RWB:DAX:pab

cc: File

ZONADVIS/PB MEMO4

RECEIVED
APR 14 1992
ZONING OFFICE

Joseph M. and Carmen G. Lewis
9 Cedar Park Court
Randallstown, Maryland 21133

Re: CASE NUMBER: 92-367-A
LOCATION: W/S Cedar Park Court, 250' W of Cedar Hill Road
9 Cedar Park Court
2nd Election District - 2nd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case
number. Any contact made with this office should reference the case number. This letter also serves as a
refresher regarding the administrative process.

1) Your property will be posted on or before April 12, 1992. The closing date is April 27, 1992. The
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will
issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the
matter be set in for a public hearing. You will receive written notification as to whether or not your
petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the
Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers.
Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

MICROFILMED



MICROFILMED

